

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALTIMA JOHNSON, Individually
and as Heir and Natural Guardian of,
CARLTON JOHNSON
Plaintiffs

C.A. No.: 1:18-cv-000

vs.

HORACE JOHNSON,
STATE ROAD AUTO SALES, INC., and
ARBELLA MUTUAL INSURANCE COMPANY,
and JOHN DOE and/or JANE DOE
Defendants

DEFENDANT'S NOTICE OF REMOVAL

TO THE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF RHODE ISLAND:

Defendant Arbella Mutual Insurance Company ("Arbella") hereby notices the removal of this action from the Superior Court of the State of Rhode Island, Providence County, to the United States District Court for the District of Rhode Island. The factual basis for removal is as follows:

1. Plaintiffs, both residents of Rhode Island, have filed a case now pending in the Providence County Superior Court against Arbella, a foreign insurance company with a principal place of business located in Quincy, Massachusetts, Horace Johnson, an individual who resides in Brockton, Massachusetts, and State Road Auto Sales, Inc., a corporation with a principal place of business in Westport, Massachusetts (see Plaintiffs' Complaint attached as Exhibit A). The action bears Civil Action No. PC-2018-1441.

2. It is a personal injury/bad faith action arising from an automobile accident and insurance claim and involves an amount, exclusive of interest and costs, in excess of seventy-five thousand dollars (\$75,000).

3. The action involves a controversy between citizens of different states. In particular, the plaintiffs are residents in the State of Rhode Island and all of the defendants are residents of Massachusetts.

4. The District Court of the United States therefore has original jurisdiction under 28 U.S.C. §1332 and 28 U.S.C. §1441.

5. This notice is filed in this Court within 30 days of the receipt by Arbella of a copy of the initial state court pleadings.

6. Written notice of the filing of this notice will be given to all adverse parties and a true and correct copy of this notice will be filed with the Clerk of the Providence County Superior Court, as provided by law.

Defendant,
By its attorney,

/s/ Thomas A. Pursley
Thomas A. Pursley, #6230
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508-230-2500

155 South Main Street, 2nd Floor
Providence, RI 02903

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 18, 2018.

Defendant,
By its attorney,

/s/ Thomas A. Pursley

Thomas A. Pursley, #6230

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